

1 AN ACT in relation to the Attorney General.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Attorney General Act is amended by
5 changing Section 4e as follows:

6 (15 ILCS 205/4e)

7 Sec. 4e. Recovery of lands; payment of legal fees. The
8 Attorney General may authorize, from funds appropriated
9 available for that purpose, the payment or reimbursement of
10 reasonable and appropriate legal fees incurred by any person,
11 unit of local government, or school district in defending any
12 litigation, action, or proceeding brought to recover lands
13 within the State from such person, unit of local government,
14 or school district, if (i) the litigation, action, or
15 proceeding is based upon an allegation that the title or a
16 beneficial interest in the title is derived from an invalid
17 federal land patent, (ii) the person, unit of local
18 government, or school district does not have legal
19 representation available with regard to the litigation,
20 action, or proceeding through a title insurer, (iii) the
21 Attorney General determines that the authorization is in the
22 public interest and that the legal representation can be
23 conducted efficiently and reasonably to avoid unnecessary
24 duplication of effort and costs, and (iv) the Attorney
25 General finds that a loss of State sovereignty or
26 jurisdiction over those lands or liability for rents or
27 damages may result if the land patent is held to be invalid.
28 The hourly rate for legal fees paid or reimbursed under this
29 Section shall not exceed the maximum hourly rate customarily
30 paid to Special Assistant Attorneys General. The total
31 amount of legal fees paid or reimbursed under this Section

1 shall not exceed \$100,000 in fiscal year 2001 and \$100,000 in
2 fiscal year 2002. The payments or reimbursements may be made
3 from moneys appropriated to the Attorney General for fiscal
4 year 2001 for contractual services, notwithstanding any other
5 law to the contrary. The Attorney General must, no later
6 than April 15, 2001 and March 15, 2002, submit to the General
7 Assembly a detailed, written report indicating which fees the
8 Attorney General has or intends to pay or reimburse and the
9 basis for making the payment or reimbursement. This Section
10 is repealed on July 1, 2002 2001.
11 (Source: P.A. 91-940, eff. 2-1-01.)

12 Section 99. Effective date. This Act takes effect on
13 June 30, 2001.